

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

BUNGIE, INC., a Delaware corporation,
Plaintiff,

v.
VETERANCHEATS.COM, a business of
unknown classification; DOE 1 a/k/a
BLAZE, an individual; DOE 2, a/k/a
KNORR, an individual; DOE 3 a/k/a
JOHN MCBERG, an individual, and
DOES 4-10.

Defendants.

No. 2:21-cv-01114

**DECLARATION OF NEIL
SCHWARTZMAN IN SUPPORT OF
PLAINTIFF'S *EX PARTE* MOTION
FOR EXPEDITED DISCOVERY TO
CONFIRM DEFENDANTS'
IDENTITIES AND LOCATIONS**

**NOTE ON MOTION CALENDAR:
September 13, 2021**

I, Neil Schwartzman, under penalty of perjury and pursuant to 28 U.S.C. § 1746, declare and state as follows:

1. I am a Canadian Citizen and over the age of 21 years old. I make this declaration based upon personal knowledge, or on documents maintained by Unit 221B, LLC (“Unit 221B”) in the ordinary course of its business or on public record documents, and if called to testify could and would testify competently to the facts set forth herein.

2. I am an Executive Consultant for Unit 221B, an investigative and threat-intelligence company specializing in advanced cyber investigations.

3. I have worked with Unit 221B for approximately one year and have

1 approximately twenty-five years of experience in the field of cyber intelligence
 2 generally. For efficiency, I will refer to myself and Unit 221B collectively in this
 3 declaration as “Unit 221B.”

4 4. At the direction of Plaintiff Bungie, Inc. (“Bungie”), Unit 221B examined
 5 the website VeteranCheats.com (the “Website”), publicly-available records related to the
 6 <veterancheats.com> domain name, the software at issue in this lawsuit (the “Software”)
 7 and the online footprints of Defendants.

8 5. The Website does not identify any persons associated with the website,
 9 nor does it provide any contact information such as a physical address, email address, or
 10 phone number. The Website directs customers to contact “Blaze” and “Knorr” through
 11 the chat forum Discord at the handles “Knorr#6574” and “BlazeOwner#1698.” A true
 12 and correct capture from the Website reflecting this information is attached as **Exhibit 1**.

13 6. The only publicly-available email address associated with the Website is
 14 the Gmail address <lineage2crimson@gmail.com> with the purported user name “John
 15 McBerg.” The operators of the Website use this Gmail address for sending welcome
 16 emails to new subscribers of the Software. Research into this email address also
 17 uncovered an association with a YouTube channel of an individual under the name
 18 “John McBerg.” Further investigation into this individual suggested that “John McBerg”
 19 is an alias, and did not yield any information as to this individual’s true identity or
 20 location.

21 7. As reflected in the publicly available WHOIS record for the
 22 <veterancheats.com> domain name, a true and correct copy of which is attached as
 23 **Exhibit 2**, Defendants have used a privacy protection service to hide their names and
 24 contact information from the public WHOIS database. The WHOIS database generally
 25 provides the registrant name and contact information for domain names.

26 8. Investigation into the Website disclosed four third-party service providers
 27 used to sell the Software.

28

1 9. Credit card payments made through Defendants' website are processed by
2 Stripe, Inc. Attached as **Exhibit 3** is a true and correct copy of a transaction log from
3 the Website identifying Stripe as the payment processor.

4 10. Stripe requires its customers to submit verified name and contact
5 information. A true and correct copy of Stripe's published verification policy is attached
6 as **Exhibit 4**.

7 11. Cryptocurrency payments made through Defendants' website are
8 processed by Coinbase, Inc. Attached as **Exhibit 5** is a true and correct screen capture
9 from the Website identifying Coinbase as the payment processor.

10 12. Coinbase requires its customers to submit verified name and contact
11 information. A true and correct copy of Coinbase's published verification policy is
12 attached as **Exhibit 6**.

13 13. The WHOIS record for the <veterancheats.com> domain name reveals
14 that Defendants have contracted with the domain name registrar as Namecheap, Inc. to
15 register the domain name. *See Exhibit 2.*

16 14. Registrars, such as Namecheap, typically charge for their services, and
17 require customers to provide valid account, login, contact and billing information for
18 Defendants, such as credit card account numbers, bank account numbers, and/or
19 identifying information from payment processors.

20 15. Discord requires that users provide an email address and telephone
21 number to register an account on Discord.

22 I declare under penalty of perjury under the laws of the United States that the
23 foregoing is true and correct. Executed this 13th day of September, 2021 at Montréal,
24 Quebec, Canada.

Neil Schwartzman